



*University of the Witwatersrand,  
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# **Environmental Protection and Sustainable Development in Developing Countries post-Rio: South Africa**

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Using South Africa as an example, this paper explores how environmental regulation has fared in a social and economic context where poverty alleviation, and socio-economic development are the top priorities of governments. While many developing countries have joined the bandwagon of environmental regulation to promote seemingly sustainable development, how to balance these inherently 'conflicted' aspirations in practice remains a challenge. The paper explore various strategies for promoting sustainable development while conserving the environment such as environmental impact assessment, the use of framework legislation and assess the extent to which these are working in practice. The paper concludes by a radical proposal for an Afrocentric environmental paradigm that puts socio-economic development in its proper context when we talk of environmental regulation.



# Outline

- 1. Introduction - why take stock now?**
- 2. Typical development scenario...**
- 3. Sustainable development in developing countries**
- 4. Assessing progress – from Rio to Rio +20**
- 5. An Afrocentric idea of sustainable development**



# 1. Introduction

Thesis argument →

**While many developing countries have joined the bandwagon of environmental regulation to promote sustainable development; in practice how to balance social, economic and cultural goals and environmental sustainability - inherently 'conflicting' aspirations - remains a serious challenge.**



# 2. Typical dev' scenario..

- ✧ **Get colonised and fight for independence...**
- ✧ **Terrorists become the government...**
- ✧ **Join international bodies e.g. UN, WTO etc...pats on back..**
- ✧ **Initial phase of seeming growth and development...**
- ✧ **Get ourselves into international debt...**
- ✧ **Loose our temper in the process threatening good governance and rule of law..**



# Typical scenario cont...

- ✧ **Policy and legal reforms –**
- ✧ **Various strategies for promoting sustainable development such as framework legislation, environmental impact assessment, pollution control, biodiversity conservation, protected areas etc.**
- ✧ **SA emerged from apartheid in 1993 formalised in 1996 with the new Constitution (s24 environmental rights)**
- ✧ **So much energy to theorise - legislate and plan.**
- ✧ **BUT what is the practical impact?**
  - on jurisprudence (huge progress - uniquely SA),
  - institution building and strengthening?
  - livelihoods,?
  - ethics, attitudes?







### 3. Sustainable dev. in developing countries

“While there has been progress towards implementing the commitments made in these frameworks [A21,JPOI], all the evidence points to the need for countries and regions to do more to achieve sustainable development.”

*‘Progress towards Sustainable Development in Africa Summary Report’* 1 UNECA May 2012

**to the people of developing countries?**

✧ **Impacts on corporates - have they changed business models? Who is changing whose ideology?**

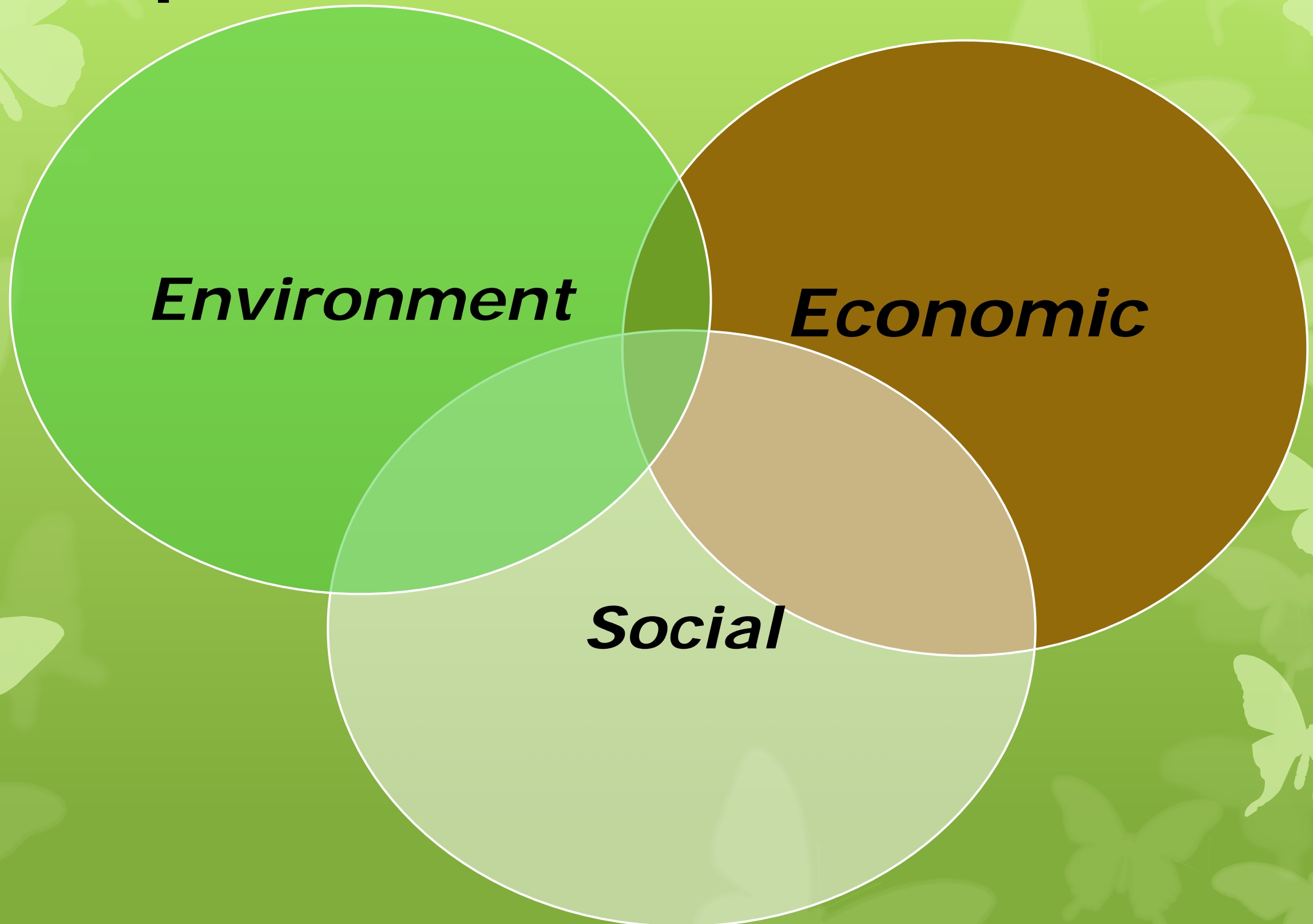
✧ **What has it meant for social, economic and cultural goals of the independent governments? (In SA since 1996?)**



# **Is anything wrong with our conception of sustainable development?**

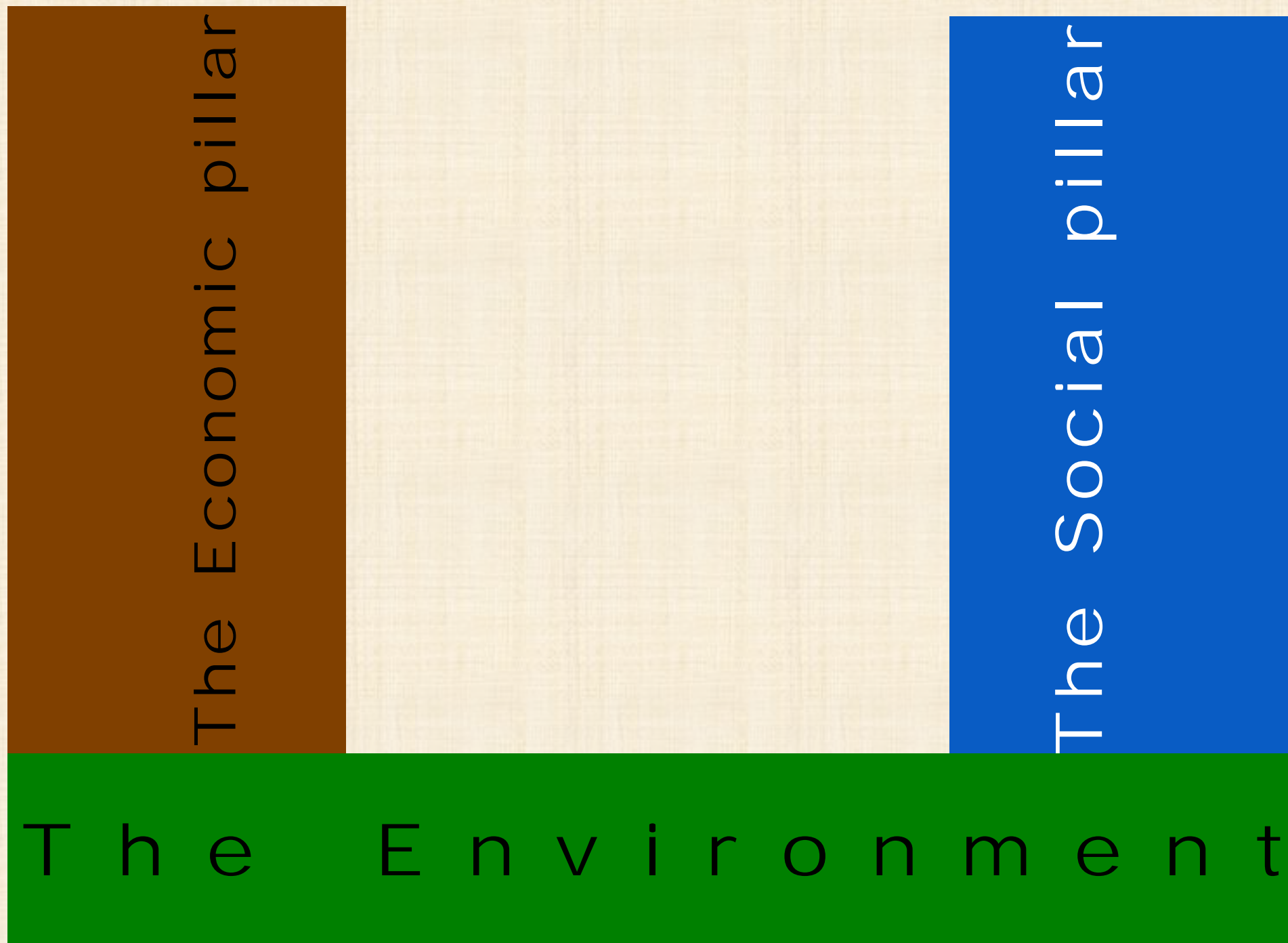
- ◆ **The 3 pillars conception, the weak and strong versions, now just learnt that the pillars should be two and the other has fallen down to become the foundation - really – or more of the same?**
- ◆ **Rightly Rio +20 – shift from too much theorisation and focus on achieved and what we need to do – why? Because we cannot enforce the international legal obligation anyway!**
- ◆ **Some obstacles to sustainable development goals:**
  - global geopolitical and environmental context (incl trade sys),
  - national context (social, economic and cultural environment),
  - regional dimensions North - South divide,
  - common but differentiated responsibility, and
  - habits and attitudes awareness and education.

# Classical conception of sustainable development





# Post Rio + 20: Reasserting the pre-eminence of the environmental foundation – Benjamin J's typology



#### 4. Assessing progress - how have we (developing countries) done?

**“the need to produce a practical and visible plan that should bring about poverty eradication and human development.”**

***Johannesburg Plan of Implementation,  
WSSD, 2002***

- **However some progress on MDGs.**



## **5. Towards Afrocentric conception of sustainability**

- **The paper concludes by a radical proposal for an Afrocentric environmental paradigm that puts socio-economic development in its proper context when we talk of environmental regulation.**
- **Is an Afrocentric idea of sustainability possible? Yes – back to African basic. Is it necessary? Yes.**
- **There cannot be universal content for anything to do with ‘development’ – gets us deeper into the unsustainable development sinkholes.**
- **Breaks on globalization and commodification of natural resources-subsistence living**
- **Reconceptualise the kind of development in sustainable ‘development’.**
- **The role of indigenous and African customary law and institutions must be reinvigorated.**

# Thank you



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